

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA §
VS. § MAGISTRATE NO. 2:13-MJ-00046-2
MELISSA LEE OLIVAREZ-ESPINOZA §

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the defendant pending trial in this case:

(1) There is a serious risk that the defendant will not appear; and

(2) There is a serious risk that the defendant will endanger the safety of another person or the community.

The evidence against the defendant is substantial. The defendant admitted she was being paid to harbor and transport aliens, and that she had done so many times in the past. The findings and conclusions contained in the Pretrial Services Report and Addendum are adopted. The defendant has a record of numerous failure to appear and failure to pay traffic fines spanning the country. She has thirteen unpaid traffic fines with corresponding failures to appear from 2009 through 2011 in Falfurrias alone. Her personal information has not been verified because her mother was not willing to speak with Pretrial Services. She is a poor bond candidate.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent

practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 23rd day of January, 2013.



B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE